

Appendix A.

1935 Act.

General Statutes of Connecticut, 1935 Supplement, Sec. 1594c.

*“Bonds for protection of employees and material men on public structures. Any officer or agent, * * * contracting in behalf of the state or any subdivision thereof for the construction, alteration, removal or repair of any public building, public road, public sewer or public bridge, if such contract shall exceed the sum of five hundred dollars, shall require from each contractor, as a condition precedent to the execution of a contract for any such construction, alteration, removal or repair, a bond with sufficient surety and satisfactory to such officer or agent so contracting; which bond shall be conditioned for the faithful execution of the contract according to its provisions and for the payment for all materials and labor used or employed in the execution of such contract. Any person, firm or corporation having any claim for materials and labor used or employed in the execution of such contract shall file, with the officers or agents contracting for any such construction, alteration, removal or repair, a statement of such claim within sixty days after he shall have ceased to furnish such materials or labor, which claim, if correct, shall be paid by such officers or agents, who shall recover the amount thereof with costs from the surety on such bond. The liability of the state or any subdivision thereof shall not exceed in the whole the amount it agreed to pay such contractor. If the total amount of such claims shall exceed such contract price, all such claims shall be paid pro rata.”*

Appendix B.

1937 Act.

General Statutes of Connecticut, 1937 Supplement, Sec. 540d(r).

"Sureties for contracts. The bidder awarded the contract shall, within ten days after the award thereof, substitute for the check accompanying his bid a surety performance bond for not less than fifty per cent nor more than one hundred per cent of the contract price, as shall have been prescribed by the commissioner in his invitation for bids, and an additional bond in a sum of not less than fifty per cent nor more than one hundred per cent of the contract price, as shall have been prescribed by the commissioner in his invitation for bids, conditioned that the contractor will promptly pay for all materials furnished and labor supplied or performed in the prosecution of the work, whether or not the material or labor enters into it and becomes a component part of the real asset. Such additional bond shall be held by the commissioner of public works for the use of each party who, whether as subcontractor or otherwise, shall have furnished material or supplies or performed labor in the prosecution of the work, as herein provided, and who has not been paid therefor. Such additional bond shall provide specifically that any such party may bring a suit thereon in the name of the state, prosecute the same to final judgment and have execution thereon for such sum or sums as may be justly due, provided the state shall not be liable to furnish counsel nor for the payment of any costs or expenses of any such suit. Each surety bond required by this subsection shall have as surety a surety company authorized to transact business in this state."

Appendix C.

1941 Act.

General Statutes of Connecticut, 1941 Supplement, Secs. 694f, 695f.

“Section 694f: Bonds for protection of employees and material men on public structures.

Before any contract exceeding one thousand dollars in amount for the construction, alteration or repair of any public building or public work of the state or of any subdivisions thereof is awarded to any person, such person shall furnish to the state or such subdivision a bond in the amount of the contract which shall be binding upon the award of the contract to such person, with a surety or sureties satisfactory to the officer awarding the contract, for the protection of persons supplying labor or materials in the prosecution of the work provided for in such contract for the use of each such person. Nothing in sections 694f to 696f, inclusive, shall be construed to limit the authority of any contracting officer to require a performance bond or other security in addition to the bond herein referred to.

“Section 695f: Suit on bond; when and how brought.

(a) Every person who has furnished labor or material in the prosecution of the work provided for in such contract in respect of which a payment bond is furnished under the provisions of section 694f and who has not been paid in full therefor before the expiration of a period of sixty days after the day on which the last of the labor was done or performed by him or material was furnished or supplied by him for which such claim is made, shall have the right to sue on such payment bond for the amount, or the balance thereof, unpaid at the time of institution of such suit and to prosecute such action to final execution and judgment for the sum or sums justly due him; provided any person having direct contractual relationship with a subcontractor but

no contractual relationship express or implied with the contractor furnishing such payment bond shall have a right of action upon such payment bond upon giving written notice to such contractor within sixty days from the date on which such person performed the last of the labor or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be served by mailing the same by registered mail, postage prepaid, in an envelope addressed to the contractor at any place he maintains an office or conducts his business or at his residence.

(b) Every suit instituted under this section shall be brought in the name of the person suing, in the superior court for the county where the contract was to be performed, irrespective of the amount in controversy in such suit, but no such suit shall be commenced after the expiration of one year after the date of final settlement of such contract.

(c) The word "material" as used in sections 694f to 696f, inclusive, shall be construed to include the rental of equipment used in the prosecution of work provided for in such contract."